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Attorney Docket No.: P32329

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Camilleri, *et al.*
Serial No.: 10/018,712
Filed: December 13, 2001
For: Polyhydroxy Diamine Surfactants And Their Use In Gene Transfer

PETITION TO CORRECT FILE DATE

Assistant Commissioner for Patents:

Herewith is a request for correction in file date. Applicants Submit that on December 13, 2001, we deposited the application and postcard with the USPTO, enclosed please find a copy of the post card and National Stage under 35 USC 371 Application Cover Sheet. The USPTO date stamped the return postcard December 14, 2001.

Applicants respectfully request that the United States Patent and Trademark Office correct the above-noted error and issue an amended Filing Receipt.

These errors appear to be on the part of the Patent and Trademark Office since they are not present in applicant's file copy of the application.

Respectfully submitted,

William R. Majarian
Attorney for Applicants
Registration No. 41,173

GlaxoSmithKline Corporation
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P32329

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED / ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.
PCT/GB00/02365INTERNATIONAL FILING DATE
16 June 2000PRIORITY DATE CLAIMED
16 June 1999

TITLE OF INVENTION

POLYHYDROXY DIAMINE SURFACTANTS AND THEIR USE IN GENE TRANSFER

APPLICANT(S) FOR DO/EO/US

Patrick CAMILLERI, Jan Bernard ENGBERTS, Nicolaas FREDERIK, Matthew Leigh
FIELDEN, and Andreas KREMERApplicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items
and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and Form PTO-1449.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☒ Please amend the specification by inserting before the first line the sentence: This is a 371 of International Application PCT/GB00/02365, filed 16 June 2000, which claims benefit from the following Provisional Application: GB 9914085.7, filed 16 June 1999.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☒ An Abstract on a separate sheet of paper.
19. ☐ Other items or information:

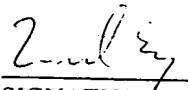
US APPLICATION NO. (if known see 37 CFR 1.50)		INTERNATIONAL APPLICATION NO. PCT/GB00/02365		ATTORNEYS DOCKET NO. P32329	
20. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
Basic National Fee (37 C.F.R. 1.492(a)(1)-(5)):				890.00	
Search Report has been prepared by the EPO or JPO\$890.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.492)\$710.00					
No International Preliminary Examination Fee paid to USPTO (37 CFR 1.492) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00					
Neither International Preliminary Examination Fee (37 CFR 1.492) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1,040.00					
International Preliminary Examination Fee paid to USPTO (37 CFR 1.492) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$100.00					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$890.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$0.00	
Claims	Number Filed	Number Extra	Rate		
Total claims	21 - 20 =	1	1 x \$18.00	\$18.00	
Independent claims	2 - 3 =	0	0 x \$84.00	\$0.00	
Multiple dependent claims (if applicable)			+ \$280.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$908.00	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$908.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				\$	
TOTAL NATIONAL FEE =				\$908.00	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$908.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application (37 CFR 1.136 (a)(3)).

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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SIGNATURE
William R. Majarian
NAME
41,173
REGISTRATION NO.



JC07 Rec'd PCT/PTO 14 DEC 2001

DOCKET NO. P32329 Date Mailed 12/13/01 Atty/Secy WRM JAB

MAILING: CERTIFICATE/EXPRESS MAIL # EV000522262US

U.S. Serial No. Not Yet Assigned Filing Date: Herewith
Int'l App. No.: PCT/GB00/02365 Int'l Filing Date: 16 JUNE 2000

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

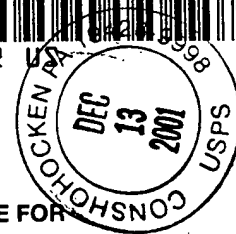
- ☐ Appln. Trans. (+ 1 copy) for: ☐ Provisional ☐ CIP ☐ Statement to Support Filing
☐ Utility/Continuation ☐ CPA ☐ RCE ☐ Divisional ☐ Copy of Notice to Comply
☐ Specification pages ☒ Abstract 1 pgs ☐ Diskette
☐ Dec. & Power of Atty pages () ☐ Appeal Brief pages
☐ Drawings Sheet(s)/Figs. to ☐ Petition pgs.
☐ Assignment pages & Recordation Cover Sheet ☐ Status Request
☒ Trans. Ltr Nat'l Stage Entry (3p.s.) ☐ Trans. Nat'l Stage (2nd sub)
☒ Information Disclosure Statement 1 ☐ Resp. to Written Opinion
☒ Form PTO-1449 1 pgs. & 2 References ☐ Priority Document
☒ Amendment ☐ Response 6 pages Prelim. ☐ Notice of Appeal/Brief
☐ Petition for Extension of Time plus 2 copies ☐ Resp. to Rest. Req. pgs.
☐ Issue Fee Trans. (Part B) + 1 copy ☐ Req. to Correct Filing Receipt
☐ Copy of Notice to File Missing Parts ☐ Copy of Filing Receipt
☐ Request for Nonpublication (1 pg) ☐ Correct Defects pages
☒ Authorization to Charge Dep. Acct. # 19-2570 **10/018712**



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TO ADDRESSEE



EV 000522262 US



SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

ORIGIN (POSTAL USE ONLY)			
PO ZIP Code <u>17142</u>	Day of Delivery <input checked="" type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	
Date In <u>12/13/01</u>	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage \$ <u>12.45</u>	
Time In <u>3:14</u> AM	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	
Weight <u>3.8</u> lbs.	Int'l Alpha Country Code	COD Fee	Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <u>MA</u>	Total Postage & Fees \$ <u>12.45</u>	

☐ WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday Customer Signature

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KING OF PRUSSIA PA 19406-0939
P32329/WRM

TO: (PLEASE PRINT) PHONE ()
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BOX PCT
WASHINGTON DC 20231-0001

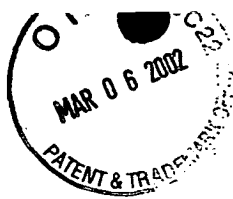
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PATENT
ATTORNEY'S DOCKET NUMBER P32329

TRANSMITTAL LETTER TO THE U.S. DESIGNATED OFFICE
(DO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371

INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/02365	16 June 2000	16 June 1999

TITLE OF INVENTION
POLYHYDROXY DIAMINE SURFACTANTS AND THEIR USE IN GENE TRANSFER

APPLICANT(S) FOR DO/US

Patrick CAMILLERI, Jan Bernard ENGBERTS, Nicolaas FREDERIK, Matthew Leigh
FIELDEN, and Andreas KREMER

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: DO/US

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date December 13, 2001 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV000522262US addressed to the:
Assistant Commissioner for Patents, Washington, D.C. 20231.

Elsa Matos
(Typed or printed name of person mailing paper)

Elsa Matos
(Signature of person mailing paper)



20462

PATENT TRADEMARK OFFICE